

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**ANTHONY CLAY,
JAOPSAN JADRIAN DEVILLE,
AND JIMMIE LOWERY**

VS.

**ORVALEE DONALD LAIRSON, AND
CAT & SONS TRANSPORTATION LLC**

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CIVIL ACTION NO. _____

JURY TRIAL REQUESTED

**DEFENDANTS ORVALEE DONALD LAIRSON AND
CAT AND SONS TRANSPORTATION LLC'S NOTICE OF REMOVAL**

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Defendants, ORVALEE DONALD LAIRSON and CAT AND SONS TRANSPORTATION LLC, file this Notice of Removal pursuant to 28 U.S.C. §§1441 and 1446, showing the following basis for removal.

INTRODUCTION

1. Plaintiffs, ANTHONY CLAY, JAOPSAN JADRIAN DEVILLE, and JIMMIE LOWERY, filed Plaintiffs' Original Petition against Defendants on July 7, 2017, under Cause No. 2017-45161, pending in the 234th Judicial District Court, Harris County, Texas. Citations upon the Defendants were requested on July 7, 2017.

2. Defendant, CAT AND SONS TRANSPORTATION LLC, was served by and through its attorney of record, Robert L. Ramey, on August 11, 2017.

3. Defendant, ORVALEE D. LAIRSON was served by and through his attorney of record, Robert L. Ramey, on August 11, 2017.

4. This original Notice of Removal is filed within thirty days of service upon Defendants, CAT AND SONS TRANSPORTATION LLC and ORVALEE D. LAIRSON, the statutory period for removal as required under 28 U.S.C. §1446(b).

JURISDICTION

5. This court has removal jurisdiction over this lawsuit pursuant to 28 U.S.C. §§1441 and 1446, and based upon diversity of citizenship under 28 U.S.C. §1332. Plaintiffs ANTHONY CLAY, JAOPSAN JADRIAN DEVILLE, and JIMMIE LOWERY are domiciled in Texas and are citizens of that state. Defendant CAT AND SONS TRANSPORTATION LLC is a limited liability company with its principal place of business in Glendale, Arizona, and all of its members are citizens of that state. In that regard, Defendant CAT AND SONS TRANSPORTATION LLC is a citizen of Arizona. Defendant ORVALEE D. LAIRSON is domiciled in Arizona and a resident of Glendale, Arizona and is therefore a citizen of that state. Thus, there is diversity of citizenship between Plaintiffs and Defendants.

6. Consistent with TEX. R. CIV. P. 47, Plaintiffs seek monetary relief over \$200,000 but not over \$1,000,000.00 in damages in their Original Petition. Plaintiffs seek to recover damages for past, present, and future physical pain, mental anguish, medical expenses, physical impairment, and physical disfigurement. Therefore, based on information and belief of Defendants herein, Plaintiffs are seeking damages in excess of this court's jurisdictional minimum of \$75,000.00, excluding interest and costs.

7. All pleadings, process, orders, and other filings in the state court action in the possession of Defendants are attached to this notice as required by 28 U.S.C. §1446(a).

8. Venue is proper in this district under 28 U.S.C. 1391(b)(2) because the sole basis for Plaintiffs' suit and claim for damages arose from an incident that occurred in Harris County, Texas.

9. Defendants will promptly file a copy of this Notice of Removal with the clerk of the state court where the action has been pending.

JURY DEMAND

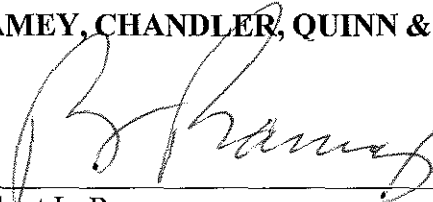
10. Defendants hereby make a demand for a jury trial.

CONCLUSION

For these reasons, CAT AND SONS TRANSPORTATION LLC and ORVALEE D. LAIRSON, therefore give notice of their removal of this lawsuit to this Court, and an automatic stay of further proceedings in state district court.

Respectfully submitted,

RAMEY, CHANDLER, QUINN & ZITO, P.C.



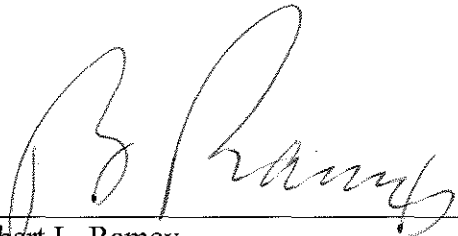
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**ATTORNEYS FOR DEFENDANTS,
ORVALEE DONALD LAIRSON AND
CAT AND SONS TRANSPORTATION LLC**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of ***Defendants' Notice of Removal*** has been served upon all counsel of record, in accordance with the rules on this 11 day August, 2017.

Clyde J. Moore
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Robert L. Ramey